

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

**BOARDS OF TRUSTEES OF OHIO
LABORERS' FRINGE BENEFIT
PROGRAMS,**

Plaintiffs,

**Civil Action 2:15-cv-2461
CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge King**

v.

CAVER BROTHERS DEVELOPMENT, INC.,

Defendant.

ORDER

This is an action for unpaid fringe benefit contributions, liquidated damages, and interest allegedly owed certain employee benefits plans pursuant to a collective bargaining agreement. Plaintiffs, the trustees of four trust funds, assert claims under ERISA, 29 U.S.C. § 1132, and the LMRA, 29 U.S.C. § 185. The Clerk entered defendant's default pursuant to Fed. R. Civ. P. 55(a) on August 25, 2015 (ECF No. 7). On August 27, 2015, the United States Magistrate Judge recommended that the Plaintiffs' Motion for Default Judgment (ECF No. 8) be granted. (Report and Recommendation, ECF No. 9.) There has been no objection to that recommendation.

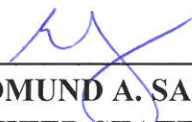
The Magistrate Judge's Report and Recommendation (ECF No. 9) is **ADOPTED AND AFFIRMED**. Plaintiffs' Motion for Default Judgment (ECF No. 8) is **GRANTED**.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** in favor of plaintiffs and against defendant Caver Brothers Development, Inc., in the amount of \$7,154.73 in unpaid fringe benefit contributions, liquidated damages, and prejudgment interest, and attorney's fees in the

amount of \$1,912.50, plus interest from the date of judgment at the rate of one percent (1%) per month.

IT IS SO ORDERED.

9-22-2015
DATE


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT CHIEF JUDGE